

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:21-cv-00270

Theresa Lopian,
Petitioner,

v.


Director, TDCJ-CID,
Respondent.

ORDER

Petitioner Theresa Lopian, an inmate confined within the Texas Department of Criminal Justice proceeding pro se, filed this habeas petition. This case was referred to United States Magistrate Judge John D. Love. On August 31, 2021, the magistrate judge issued a report recommending that petitioner's case be dismissed, without prejudice, for petitioner's failure to comply with an order of the court. Doc. 5. Petitioner received a copy of the report on September 8, 2021; however, no objections were filed to the magistrate judge's report.

When there have been no timely objections to a magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court accepts its findings and recommendation. Petitioner's habeas action is dismissed, without prejudice, for failure to comply with an order of the court. Petitioner is further denied a certificate of appealability sua sponte, which refers to this case only.

So ordered by the court on October 8, 2021.



J. CAMPBELL BARKER
United States District Judge